

Remarks/Arguments

The preceding amendments and following remarks are submitted in response to the Official Action of the Examiner mailed February 20, 2004. Claims 1-3, 6-14, 16-24, 26-50 remain pending, with claims 30-50 being newly presented. Reconsideration, examination and allowance of all pending claims are respectfully requested.

As a preliminary matter, Applicant submitted an IDS on December 16, 2003. However, an initialed copy of the submitted FORM-1449 was not included with the Office Action.

Applicant respectfully requests that the Examiner provide an initialed copy of the FORM-1449 submitted on December 16, 2003 in due course.

In paragraph 5 of the Office Action, the Examiner indicated that claims 10-14, 16-18, 20, 23, 28 and 29 are allowed. In paragraph 6 of the Office Action, the Examiner indicated that claims 3, 4, 6, 20 and 25 are objected to, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claim 1 has been amended to include the limitations of claim 4, and claim 4 has been canceled without prejudice. As such, claim 1 is believed to be in condition for allowance. For these and other reasons, dependent claims 2-3, 6-9, 35 and 39-42 are also believed to be in condition for allowance.

As noted above, the Examiner indicated that claims 10-14, 16-18 are already in condition for allowance. Claim 10 has been amended to recite “an elongated slit or opening” and that “the elongated carrier provides a closing force to the elongated slit or opening of the elongated

member". Applicant believes that claim 10 is still in condition for allowance. For similar and other reasons, dependent claim 36 is also believed to be in condition for allowance.

Turning now to claim 19. In paragraph 4 of the Office Action, the Examiner rejected claim 19 under 35 U.S.C. § 103(a) as being unpatentable over LEACH et al. (U.S. Patent No. 4,979,081). In response, claim 19 has been amended to recite:

19. (Currently Amended) An elongated light, comprising:
an electro-luminescent wire;
an elongated member having a length with a cavity, the cavity extending along at least part of the length of the elongated member and being adapted for receiving the electro-luminescent wire; and
an elongated slit or opening that extends along at least part of the cavity, the elongated slit or opening extending into the cavity through the elongated member;
an elongated carrier, the elongated carrier having a slot for receiving the elongated member, wherein the elongated slit or opening faces the elongated carrier when the elongated member is received by the slot.

As can be seen, claim 19 now recites that the elongated slit or opening faces the elongated carrier when the elongated member is received by the slot. In LEACH et al., the slit or opening clearly faces away from the carrier (see, for example, LEACH et al., Figure 1). For these and other reasons, claim 19 is believed to be in condition for allowance. For similar and other reasons, dependent claims 20, 37 and 47-50 are also believed to be clearly in condition for allowance. Also, the Examiner only objected to claim 20, and thus claim 20 is believed to in condition for allowance.

Now turning to claim 21. In paragraph 2 of the Office Action, the Examiner rejected claim 21 under 35 U.S.C. § 102(b) as being anticipated by LEACH et al. In response, claim 21

has been amended to recite:

21. (Currently Amended) An elongated light for receiving an elongated light source, comprising:

an elongated member having a cavity for receiving the elongated light source and an elongated slit or opening that extends into the cavity through the elongated member, wherein at least part of the cavity is defined by an at least semi-transparent material that extends from the cavity to an outer surface of the elongated member; and

an elongated carrier, the elongated carrier having a slot for receiving the elongated member, the slot and elongated member being adapted so that the elongated member and/or the elongated carrier must be at least partially elastically deformed or bent to insert the elongated member into the slot.

For similar reasons that claim 1 is in condition for allowance, as well as other reasons, claim 21 as amended is also believed to be in condition for allowance. For similar and other reasons, dependent claim 38 is also believed to be in condition for allowance.

Turning now to claim 22. In paragraph 3 of the Office Action, the Examiner rejected claim 22 under 35 U.S.C. § 102(b) as being anticipated by RUH (U.S. Patent No. 6,113,246). In response, claim 22 has been amended to recite:

22. (Currently Amended) An elongated light for receiving an elongated light source, comprising:

an elongated member having a cavity for receiving the elongated light source and an elongated slit that extends into the cavity through the elongated member, the elongated slit being defined by two slit defining surfaces; and

wherein a first one of the slit defining surfaces includes a protrusion extending outward toward the second one of the slit defining surfaces, and the second one of the slit defining surfaces includes a recess for receiving the protrusion of the first slit defining surface

~~a latch to latch the slit into a closed or substantially closed position.~~

This amendment is supported at, for example, Figure 36C, and page 35, line 22 through page 36,

line 6 of the present specification. RUH clearly does not disclose or suggest this structure (see, for example, RUH, Figure 3). For these and other reasons, claim 22 is believed to be clearly in condition for allowance.

As noted above, the Examiner already indicated that claim 23 is in condition for allowance. Claim 23 has been amended to recite an “elongated slit or opening”. Applicant believes claim 23 is still in condition for allowance.

The Examiner already indicated that claim 25 is in condition for allowance. Claim 24 has been amended to include the limitations of claim 25, and claim 24 has been canceled without prejudice. As such, claim 24 is believed to be in condition for allowance.

Now turning to claim 26. In paragraph 2 of the Office Action, the Examiner rejected claim 26 under 35 U.S.C. § 102(b) as being anticipated by LEACH et al. In response, claim 26 has been amended to recite:

26. (Currently Amended) An elongated light for receiving an elongated light source, comprising:
an elongated member having a cavity for receiving the elongated light source and an elongated slit or opening that extends into the cavity through the elongated member, wherein at least part of the cavity is defined by an at least semi-transparent material that extends from the cavity to an outer surface of the elongated member;
an elongated carrier, the elongated carrier having a slot for receiving the elongated member, the slot and elongated member being adapted so that the elongated carrier must be at least partially elastically deformed or bent to insert the elongated member into the slot.

For similar reasons that claim 1 is in condition for allowance, as well as other reasons, claim 26 as amended is also believed to be in condition for allowance.

Now turning to claim 27. In paragraph 2 of the Office Action, the Examiner rejected claim 27 under 35 U.S.C. § 102(b) as being anticipated by LEACH et al. In response, claim 27 has been amended to recite:

27. (Currently Amended) An elongated light for receiving an elongated light source, comprising:
an elongated member having a cavity for receiving the elongated light source and an elongated slit or opening that extends into the cavity through the elongated member, wherein at least part of the cavity is defined by an at least semi-transparent material that extends from the cavity to an outer surface of the elongated member;
an elongated carrier, the elongated carrier having a slot for receiving the elongated member, the slot and elongated member being adapted so that the elongated member and the elongated carrier must be at least partially elastically deformed or bent to insert the elongated member into the slot.

For similar reasons that claim 1 is in condition for allowance, as well as other reasons, claim 27 as amended is also believed to be in condition.

As noted above, the Examiner already indicated that claim 28 is in condition for allowance. Claim 28 has been amended to recite “an elongated slit or opening” and that “the elongated carrier provides a closing force to the elongated slit or opening of the elongated member”. Applicant believes that claim 28 is still in condition for allowance.

As noted above, the Examiner already indicated that claim 29 is in condition for allowance.

Newly presented claim 30 is similar to previous claims 1/6. Since the Examiner already indicated that claim 6 would be allowable if rewritten in independent form, newly presented claim 30 is believed to be in condition for allowance.

Newly presented claim 31 recites:

31. (New) An elongated light for receiving an elongated light source, comprising:
an elongated member having a cavity for receiving the elongated light source and an elongated slit or opening that extends into the cavity through the elongated member, the elongated slit or opening being located on a non-viewing side of the elongated member.

As can be seen, claim 31 recites that the elongated slit or opening is located on a non-viewing side of the elongated member. In RUH, the slit or fissure 42 is clearly on the viewing side of the light assembly. For these and other reasons, claim 31 is believed to be clearly patentable over RUH. For similar and other reasons, dependent claim 32-34 are also believed to be clearly patentable over RUH.

Finally, on page 5 of the Office Action and with respect to claims 7, 8 and 19, the Examiner takes Official Notice that the use of ELE fiber or wires is old and well known in the illumination art. Thus, the Examiner concludes that it would have been obvious to one of ordinary skill at the time the invention was made to substitute an ELE fiber or wire for the light source in the system of LEACH et al. After careful review, Applicants must respectfully disagree. LEACH et al. appear to use a cylindrical glass bulb 39 with first and second cylindrical terminals 40 and 41. The first connectors 3 and 4 provide an electrical connection to terminals 40 and 41 of the cylindrical glass bulb 39. Note, in Figure 1 of LEACH et al., the first connectors 3 and 4 are not provided around the cylindrical glass bulb 39 itself, but only around

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the first and second cylindrical terminals 40 and 41 to form an electrical connection therewith. Since EL wire and optical fibers do not have first and second cylindrical terminals 40 and 41 as shown in LEACH et al., one skilled in the art would not be motivated to replace the cylindrical glass bulb 39 of LEACH et al. with an EL wire or fiber, and leave the first terminals 3 and 4 as is, as the Examiner appears to be suggesting. The primary reason for the first terminals 3 and 4 of LEACH et al. would simply no longer exist.

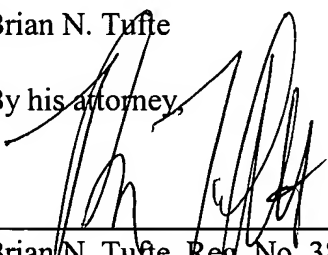
In view of the foregoing, it is believed that all pending claims 1-3, 6-14, 16-24, 26-50 are in condition for allowance. Reexamination and reconsideration are respectfully requested. If the Examiner believes it would be beneficial to discuss the application or its examination in any way, please call the undersigned attorney at (612) 359-9348.

Respectfully submitted,

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By his attorney,

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